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VIA FACSIMILE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Marton *et al.*

Confirmation No.: 8604

Serial No.: 09/823,322

Art Unit: 1631

Filed: April 2, 2001

Examiner: Marschel, A.

For: METHODS FOR DETERMINING
THERAPEUTIC INDEX FROM
GENE EXPRESSION PROFILES

Attorney Docket No: 9301-136

PETITION FOR EXTENSION OF TIME UNDER 37 CFR § 1.136(a)

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Sir:

It is respectfully requested that the time for filing an appeal brief be extended for a period of five months from January 10, 2005 to and including June 10, 2005.

Applicants paid an extension fee of \$510.00 (small entity) for a period of three months from January 10, 2005 to and including April 10, 2005 previously. The additional fee for this extension is estimated to be \$570.00 (small entity). Please charge the required fee to Jones Day Deposit Account No. 50-3013. A copy of this sheet is enclosed.

Date: June 6, 2005

Respectfully submitted,

Adriane M. Antler 32,605
Adriane M. Antler (Reg. No.)

JONES DAY
222 East 41st Street
New York, New York 10017
(212) 326-3939

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CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office to facsimile telephone number 1-571-273-8300 on the date shown below.

Adriane M. Antler 32,605
Adriane M. Antler (Reg. No.)

Date: June 6, 2005

NYID: 1579290.1

JUN 06 2005

TELEFACSIMILE LETTER FROM
JONES DAY
222 East 41st Street
New York, New York 10017-6702
Telephone Number (212) 326-3939
Fax No.: (212) 755-7306

TO: Examiner Ardin Marschel
United States Patent and Trademark Office

FAX NO.: 1-571-273-0718

FROM: Adriane M. Antler
Weining Wang

PAGES: 22 + Cover Sheet

DATE: June 6, 2005

If you have any problems receiving this document, please telephone the sender at
(212) 326-3859.

Application of: Marton *et al.*

Confirmation No.: 8604

Serial No.: 09/823,322

Art Unit: 1631

Filed: April 2, 2001

Examiner: Marschel, A.

For: METHODS FOR DETERMINING
THERAPEUTIC INDEX FROM
GENE EXPRESSION PROFILES

Attorney Docket No: 9301-136

Transmitted herewith for review by the Examiner are courtesy copies of the following documents:

1. Copy of Facsimile Cover Sheet;
2. Copy of Amendment under 37 C.F.R. § 1.116;
3. Copy of Amendment Fee Transmittal; and
4. Copy of Petition for Extension of Time.

These papers have been filed with the United States Patent and Trademark Office by facsimile to Facsimile No. 1-571-273-8300 on even date herewith.

- 1 -

JONES DAY
222 East 41st Street
New York, New York 10017-6702
Telephone Number (212) 326-3939
Fax No.: (212) 755-7306

TO: Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

FAX NO.: 1-571-273-8300

FROM: Adriane M. Antler

PAGES: 21 + Cover Sheet

DATE: June 6, 2005

If you have any problems receiving this document, please telephone the sender at
(212) 326-3859.

Application of: Marton *et al.*

Confirmation No.: 8604

Serial No.: 09/823,322

Art Unit: 1631

Filed: April 2, 2001

Examiner: Marschel, A.

For: METHODS FOR DETERMINING
THERAPEUTIC INDEX FROM
GENE EXPRESSION PROFILES

Attorney Docket No: 9301-136

Transmitted herewith for filing, please find the following:

1. Amendment under 37 C.F.R. § 1.116;
2. Amendment Fee Transmittal (in duplicate); and
3. Petition for Extension of Time (in duplicate).

CERTIFICATE OF FACSIMILE TRANSMISSION

I hereby certify that this paper is being facsimile transmitted to the Patent and Trademark Office to facsimile telephone number 1-571-273-8300 on the date shown below.

Adriane M. Antler
Adriane M. Antler 32-603
(Reg. No.)

Date: June 6, 2005

- 1 -

NYJD 1572111

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VIA FACSIMILE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Marton et al. Confirmation No.: 8604
 Serial No.: 09/823,322 Art Unit: 1631
 Filed: April 2, 2001 Examiner: Marschel, A.
 For: METHODS FOR DETERMINING THERAPEUTIC INDEX FROM GENE EXPRESSION PROFILES Attorney Docket No: 9301-136

FEE TRANSMITTAL SHEET

Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

Sir:

The fee required to be filed with the accompanying amendment of even date herewith concerning the above-identified application has been estimated to be \$0.00.

The claim amendment fee has been estimated as shown below:

(Col. 1)		(Col. 2)		(Col. 3)		<input checked="" type="checkbox"/> SMALL ENTITY		<input type="checkbox"/> OTHER THAN A SMALL ENTITY	
CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NO. PREVIOUSLY PAID		PRESENT EXTRA	RATE	ADDIT FEE	OR	RATE	ADDIT FEE
TOTAL	37	MINUS	51	0	x 25	\$ 0.00		x 50	\$
INDEP	7	MINUS	7	0	x 100	\$ 0.00		x 200	\$
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP CLAIM						\$ 0.00			\$
TOTAL						\$ 0.00	OR	TOTAL	\$

Please charge the required fee to Jones Day Deposit Account No. 50-3013. A copy of this sheet is enclosed.

Respectfully submitted,

Date: June 6, 2005

Adriane M. Antler 32,605
 Adriane M. Antler (Reg. No.)
 JONES DAY
 222 East 41st Street
 New York, New York 10017
 (212) 326-3939

Enclosure

CERTIFICATE OF FACSIMILE TRANSMISSION

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Adriane M. Antler 32,605
 Adriane M. Antler (Reg. No.)

Date: June 6, 2005

NYID: 1579431.1

VIA FACSIMILE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Marton et al. Confirmation No.: 8604
 Serial No.: 09/823,322 Art Unit: 1631
 Filed: April 2, 2001 Examiner: Marschel, A.
 For: METHODS FOR DETERMINING THERAPEUTIC INDEX FROM GENE EXPRESSION PROFILES Attorney Docket No: 9301-136

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CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NO. PREVIOUSLY PAID	PRESENT EXTRA	RATE	ADDIT. FEE
TOTAL 37 MINUS 51	0	x 25	\$ 0.00	x 50 \$
INDEP. 7 MINUS 7	0	x 100	\$ 0.00	x 200 \$
<input type="checkbox"/> FIRST PRESENTATION OF MULTIPLE DEP. CLAIM			\$ 0.00	\$
TOTAL	\$ 0.00	OR	TOTAL	\$

Please charge the required fee to Jones Day Deposit Account No. 50-3013. A copy of this sheet is enclosed.

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NYJD 1579431 1